

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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| USDC SDNY            |
| DOCUMENT             |
| ELECTRONICALLY FILED |
| DOC #:               |
| DATE FILED: 8/4/08   |

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MICHAEL BENDER,

Petitioner,

-v-

F. MENIFEE, WARDEN, FCI OTISVILLE

Respondent.  
----- X

00 Civ. 1783 (DLC)

ORDER

DENISE COTE, District Judge:

An order of Judge Charles Brieant, signed on or around March 8, 2000, sealed this action and required the judge to whom this case was assigned to determine whether such sealing was appropriate. On June 13, 2001, the petitioner voluntarily dismissed this action.

On July 16, 2008, this sealed case was reassigned to this Court. This Court preliminarily determined that the files could be unsealed and filed in the public record with limited redactions and, thus, ordered on July 22, 2008 that Robert Ratliff, plaintiff's counsel, advise this Court by August 1, 2008 why this case should not be unsealed and its documents filed in the public record with the proposed redactions. Having received no request from plaintiff's counsel to keep the case sealed in its entirety or to amend the proposed redactions, it is hereby

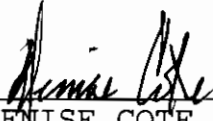
ORDERED that the Clerk of Court shall unseal 00 Civ. 1783 and file the documents in the public record subject to the redactions listed in the July 22, 2008 Order.

IT IS FURTHER ORDERED that unredacted pages which contain the passages redacted from the documents filed in the public record shall continue to be filed under seal.

IT IS FURTHER ORDERED that the Clerk of Court shall close this case.

SO ORDERED:

Dated: New York, New York  
August 4, 2008

  
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DENISE COTE  
United States District Judge

Copies sent to:

Robert A. Ratliff  
713 Dauphin Street  
Mobile, AL 36602

PLEASE SEND IMMEDIATELY TO COUNSEL  
FOR ALL PARTIES